

Coleman, Duane L.

From: Ross Hutchison <RHutchison@smithcashion.com>
Sent: Monday, May 30, 2016 9:49 AM
To: Coleman, Duane L.; Greg Cashion
Cc: Goerisch, C. David; jbradshaw@wyattfirm.com
Subject: RE: Johnson Marcraft, Inc. v. Western Surety Company

Mr. Coleman:

Thank you for sending over the Joint Statement per the local rules. However, we believe that the purpose of the Joint Statement is to lay out the disputes, not argue them. After reviewing your Joint Statement, it appears to be very adversarial and we do not wish to be a part of it. I do not dispute that the matters outlined in the Joint Statement were discussed on May 11, but the purpose of the Joint Statement is not for you to solely give your position regarding the disputed discovery. Moreover, it was my understanding from our May 11 conversation that you wanted to attempt in good faith to resolve this dispute without a Motion and after I communicated to you that I was having my first child (who was born on May 22) you seemed to be more than understanding. You went so far as saying that you would give me a phone call before taking any additional action. Although you chose not to give me a courtesy call, I understand that you want to push this discovery dispute along and we will attempt to provide any additional information that we believe to be required per the interrogatories posed and applicable law. Tomorrow Greg and I are in a mediation all day but I will be in contact with you on Wednesday.

J. Ross Hutchison



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From: Coleman, Duane L. [mailto:dcoleman@lewisrice.com]
Sent: Friday, May 27, 2016 12:04 PM

Exhibit
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To: Greg Cashion; Ross Hutchison
Cc: Goerisch, C. David; jbradshaw@wyattfirm.com
Subject: Johnson Marcraft, Inc. v. Western Surety Company

Greg and Ross:

After the Memorial Day weekend, we will filing a Motion to Compel against Western Surety Company. Toward that end, attached is the Joint Statement required by Local Rule 37.01(a) that recounts the matters in dispute that I discussed with Ross back on May 11, 2016.

Please contact me should you have any questions. Thank you.

 **Duane L. Coleman**

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